

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

CARTEZ HUNTLEY,

Petitioner,

v.

HERBERT L. BERNSEN,

Respondent.

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No. 4:18-CV-1349-NCC

MEMORANDUM AND ORDER

Petitioner, a prisoner, has filed a petition for writ of habeas corpus. However, petitioner has neither paid the filing fee nor submitted an application to proceed in district court without prepaying fees or costs. As a result, the Court will order petitioner to either pay the \$5 filing fee or submit an application to proceed in district court without prepaying fees or costs. If petitioner files an application to proceed without prepaying fees or costs, he must also file a certified copy of his prison account statement for the six-month period immediately preceding the filing of his petition. 28 U.S.C. § 1915(b).

Accordingly,

IT IS HEREBY ORDERED that petitioner shall either pay the \$5 filing fee or submit an application to proceed in district court without prepaying fees or costs within twenty-one (21) days of the date of this Order.

IT IS FURTHER ORDERED that if petitioner submits an application to proceed in district court without prepaying fees or costs, he must also submit a certified copy of the prison account statement for the six-month period immediately preceding the filing of his petition.

IT IS FURTHER ORDERED that the Clerk is directed to send petitioner a copy of the Court's form application to proceed in district court without prepaying fees or costs.

IT IS FURTHER ORDERED that if petitioner fails to comply with this Order, the Court may dismiss this action without prejudice.

Dated this 11th day of October, 2018.

/s/ Noelle C. Collins
NOELLE C. COLLINS
UNITED STATES MAGISTRATE JUDGE